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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRUCE E. FRANKEN,

Defendant.

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4:13 CR 412
CASE NO. 412
Title 18, United States Code, Section
1347

COUNT 1
(Health Care Fraud)

JUDGE LIOI

The United States Attorney charges:

1. At all times material to this Information, Medicaid provided medical insurance coverage for the poor under the Social Security Act (42 U.S.C. §1396 et seq.). Medicaid was administered in Ohio by the Ohio Department of Job and Family Services (ODJFS). Federal funds paid for 60% of Ohio Medicaid benefits; the State of Ohio funded the remainder. Ohio Medicaid was a federal health benefit program within the meaning of 18 U.S.C. § 1347.
2. On or about August 30, 2003, pursuant to Title 42, United States Code, Section 1320(a)-7(a), the Inspector General of the United States Department of Health and Human Services excluded defendant BRUCE E. FRANKEN, a licensed pharmacist, from participation in all federal health care programs, including Medicare and Medicaid, for a minimum of ten (10)

years, as a result of BRUCE E. FRANKEN'S felony convictions, as defined in Title 42, United States Code, Section 1320(a)-7(i).

3. From on or about May 14, 2009, to on or about July 14, 2011, BRUCE E. FRANKEN was employed as a registered pharmacist at J.H. Lease Pharmacy ("J.H. Lease"), located at 229 North Ellsworth Avenue, Salem, Ohio.

4. From on or about May 14, 2009, to on or about July 14, 2011, in the Northern District of Ohio, Eastern Division, BRUCE E. FRANKEN, knowingly and willfully executed a scheme and artifice to defraud a health care benefit program, that is, Medicaid, and to obtain money and property owned by and under the custody and control of Medicaid, by means of false and fraudulent pretenses, representations, and promises, in connection with the payment for health care benefits, items and services, by submitting and causing to be submitted Medicaid claims for reimbursement for prescriptions he was excluded from filling.


5. During his employment at J.H. Lease, BRUCE E. FRANKEN filled prescriptions for Medicaid recipients even though he knew he was excluded from participation in all federal health care programs.

6. As a result of BRUCE E. FRANKEN's unauthorized and fraudulent claims, Medicaid was billed and subsequently paid for these prescription claims that BRUCE E. FRANKEN was prohibited from providing, in the amount of approximately \$301,550.

All in violation Title 18, United States Code, Section 1347.

Steven M. Dettelbach
United States Attorney

By:


ANN C. ROWLAND, Unit Chief
Major Fraud and Corruption Unit